of the Sight, Back and Sides, Loss of Appetite, * * * Blotches, Pimples, Female Complaints, Rheumatism and all Impurities of the Blood"; and (German) "A sure remedy for all affections of the Liver, Stomach and Kidneys such as: * * * Headache, Palpitation of the Heart, Loss of Appetite, Pochen, Rheumatism, Pain in the Back and Sides, Weakness of the Eyes, Female Diseases and All Impurities of the Blood."

On April 18, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30609. Adulteration and misbranding of elixir of sodium bromide, elixir of iron and quinine with strychnine sulfate, and elixir salicylic acid compound. U. S. v. D. L. Miller & Co., Inc. Plea of guilty. Fine, $30. (F. & D. No. 42665. Sample Nos. 34220–D, 34262–D, 34643–D.)

The elixir of sodium bromide contained less sodium bromide than required by the National Formulary and less than that declared on its label. Furthermore, the label failed to bear a statement of the quantity or proportion of alcohol that it contained. The elixir of iron and quinine with strychnine sulfate contained less than one-fourth of the quinine sulfate and strychnine sulfate declared on its label and also less alcohol than the amount declared. The elixir salicylic acid compound contained less salicylic acid and less potassium iodide than declared on its label. Moreover, it was falsely represented to be "Guaranteed under the Pure Food and Drugs Act, June 30, 1906."

On February 18, 1939, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against D. L. Miller & Co., Inc., Waynesboro, Pa., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about June 11, July 2, and September 28, 1938, from the State of Pennsylvania into the State of Maryland, of quantities of the above-named pharmaceuticals which were adulterated and misbranded.

The elixir of sodium bromide was alleged to be adulterated in that it was sold under a name recognized in the National Formulary but differed from the standard of strength, quality, and purity as determined by the test laid down in said formulary since it contained less than 17 grams, i. e., not more than 15.89 grams, of sodium bromide per 100 cubic centimeters; whereas the National Formulary provides that elixir of sodium bromide shall contain not less than 17 grams of sodium bromide per 100 cubic centimeters; and the standard of strength, quality, and purity of the article was not declared on the container thereof. Further adulteration was alleged in that the strength of the article fell below the professed standard and quality under which it was sold, since each fluid ounce of the article was represented to contain 80 grains of sodium bromide; whereas each fluid ounce contained less than 80 grains, i. e., not more than 72.5 grains, of sodium bromide.

The elixir sodium bromide was alleged to be misbranded in that the statement on the label, "Each Fluid ounce represents: Sodium Bromide 80 grs.," was false and misleading since it represented that each fluid ounce of the article contained 80 grains of sodium bromide, whereas each fluid ounce contained less than 80 grains, i. e., not more than 72.5 grains, of sodium bromide. It was alleged to be misbranded further in that it contained alcohol and its label failed to bear a statement of the quantity or proportion of alcohol contained therein.

The elixir of iron and quinine with strychnine sulfate was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold, since it was represented to contain in each fluid dram 1 grain of quinine sulfate and one-sixtieth of a grain of strychnine sulfate, equivalent to 0.838 grain of anhydrous alkaloids of quinine and strychnine per fluid dram; whereas it contained not more than 0.1894 grain of anhydrous alkaloids of quinine and strychnine per fluid dram, equivalent to less than one-fourth of the amount of quinine sulfate and strychnine sulfate declared on the label.

The elixir of iron and quinine with strychnine sulfate was alleged to be misbranded in that the label statements, "Alcohol 20%" and "Each Fluidrachm Contains: * * * Quinine Sulphate 1 grain Strychnine Sulphate 1/60 grain," were false and misleading since they represented that the article contained 20 percent of alcohol and that each fluid dram of said article contained 1 grain of quinine sulfate and one-sixtieth of a grain of strychnine sulfate; whereas the article contained less than 20 percent of alcohol, and each fluid dram

contained less than 1 grain of quinine sulfate, and less than one-sixtieth of a grain of strychnine sulfate. Further misbranding was alleged in that the article contained alcohol and its label failed to bear a statement of the quantity or proportion of alcohol contained therein.

The elixir salicylic acid compound was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold, since it was represented to contain in each fluid dram 5 grains of salicylic acid and 2½ grains of potassium iodide; whereas each fluid dram contained less than 5 grains, i. e., not more than 4.45 grains, of salicylic acid, and less than 2½ grains, i. e., not more than 0.95 grains, of potassium iodide.

The elixir of salicylic acid compound was alleged to be misbranded in that the label statements, "To the Fluidrachm Acid Salicylic, 5 grs. * * * Potassa Iodide, 2½ grs." and "Guaranteed under the Pure Food and Drugs Act, June 30, 1906," were false and misleading, since they represented that the article contained in each fluid dram 5 grains of salicylic acid and 2½ grains of potassium iodide, that the article had been examined and approved by the Government of the United States, and was guaranteed by the Government to comply with the Food and Drugs Act of June 30, 1906, and that it did comply with the said act; whereas each fluid dram of the article did not contain 5 grains of salicylic acid and 2½ grains of potassium iodide but did contain a less amount, the article had not been so examined, approved, and guaranteed by the Government of the United States, and it did not comply with the Food and Drugs Act of June 30, 1906.

On March 14, 1939, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $30.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30610. Misbranding of Miller's Worm Tablets for Poultry, White Diarrhea Remedy, Black Head Remedy, Flu and Pneumonia Tablets, Scour and Diarrhea Treatment, Necrotic Enteritis Treatment, Nu-Vita Cleaner. U. S. v. George B. Miller (Miller Co., Miller Products Co., Miller Chemical Co.). Plea of guilty. Fine, $50 and costs. (F. & D. No. 42612. Sample Nos. 2208–D, 2209–D, 2211–D, 2213–D, 2214–D, 2215–D, 2216–D, 12306–D.)

The labeling of these veterinary products bore false and fraudulent curative and therapeutic claims.

On May 9, 1939, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against George B. Miller, trading as the Miller Co., the Miller Products Co., and the Miller Chemical Co., at Waterloo, Iowa; alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about December 27, 1937, and April 4 and March 12, 1938, from the State of Iowa into the States of Wisconsin and New York, of quantities of the above-named products which were misbranded.

Analyses showed that the Worm Tablets consisted essentially of kamala, magnesium, calcium salts, and a small amount of nicotine; that the White Diarrhea Remedy consisted essentially of sodium sulfate, potassium permanganate, talc, and small amounts of iron and calcium salts; that the Black Head Remedy consisted essentially of cornstarch, talc, and phenolsulfonate of sodium, calcium, and copper colored with a pink dye; that the Flu and Pneumonia Tablets consisted essentially of copper and magnesium sulfates, calcium salts, and naphthalene; that the Scour and Diarrhea Treatment consisted essentially of a tannin-bearing substance resembling catechu, and small amounts of calcium salts and talc; that the Necrotic Enteritis Treatment consisted essentially of copper sulfate, magnesium, calcium, sodium, and potassium salts, charcoal, and a small amount of blue dye; and that the Nu-Vita Cleaner consisted of sucrose (97.1 percent) impregnated with creosote and colored with bluish-green coloring matter.

Misbranding of the Worm Tablets was alleged in that the labeling bore the following false and fraudulent curative and therapeutic claims: That the product was effective as a treatment, remedy, and cure for worms in poultry, and effective as a treatment for large roundworms in fowls.

Misbranding of the White Diarrhea Remedy was alleged in that its labeling bore the following false and fraudulent curative and therapeutic claims: That it was effective as a treatment, remedy, and cure for white diarrhea in poultry; effective for the prevention and cure of white diarrhea and other bowel troubles